

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

STEVEN ROBERT CERNIGLIA,

Plaintiff,

vs.

COUNTY OF SACRAMENTO, *ET AL.*,

Defendants.

No. 2:99-cv-01938-JKS

ORDER APPOINTING COUNSEL

Upon review of documents on file and good cause appearing, the court finds as follows:

1. Efforts to obtain legal representation for plaintiff without order of this court would be futile;
2. Plaintiff's income is 125 percent or less of the current poverty threshold established by the Office of Management and Budget of the United States and is otherwise without resources to obtain counsel;
3. This case is of a type that attorneys in this district ordinarily do not accept without prepayment of a fee;
4. This case is not a fee generating case within the meaning of California Business and Professions Code § 8030.4(g); and
5. This case has sufficient merit to warrant appointment pursuant to General Order No. 230.

THEREFORE, IT IS ORDERED THAT:

1. James Houpt, Orrick Herrington & Sutcliffe, LLP, 400 Capitol Mall, Suite 3000 Sacramento, CA 95814, Tel: 916-329-7949, e-mail [jhaupt@orrick.com](mailto:jhoupt@orrick.com), is appointed as attorney for plaintiff pursuant to General Order No. 230;
2. Counsel is directed to contact the Clerk's Office to make arrangements for copies of the file; and

3. All other contemplated costs shall be handled as described in General Order No. 230.

IT IS FURTHER ORDERED THAT counsel for plaintiff and counsel for defendants are to meet at the earliest mutually convenient time and, on or prior to **August 15, 2007**, file with the court a joint status report as to such further pretrial proceedings as may be necessary or appropriate and dates when the parties will be ready for trial between April 1, 2008 and May 31, 2008.

DATED: July 2, 2007

s/ James K. Singleton, Jr.
JAMES K. SINGLETON, JR.
United States District Judge